

is substantially elastic and continuous.

46. A gripping means of claim 45, wherein said gripping means inner member has two ends, and said gripping means outer member extends beyond at least one of said two ends of said gripping means inner member.

REMARKS

Claims 11 through 31 inclusive have been canceled. The remaining claims 1-10 have been provisionally rejected under the judicially created doctrine of obviousness-type double-patenting as being unpatentable over claims 21-24 and 29-31 of copending Application No. 08/500,178 in view of Lawrie '849. In addition, claims 1-4, and 6-9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Mills '188 in view of Lawrie '849. Also, claims 5 and 10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Mills '188 in view of Lawrie '849, and further in view of Distiso '530. Regarding claims 1-10, examiner relies primarily upon Mills '188 and Lawrie '849 for all rejections.

Examiner contends that "Mills discloses a double-ended wrench (12) and a movable grip (20) (see Fig. 5) which may be positioned at either end of a double ended wrench and whereby movement of the grip (20) is confined by the two wrench heads." Again, applicant must point out that Mills does not describe a "movable wrench grip" as suggested by the examiner in Fig. 5, but instead Mills specifically describes "A variation on the nut-holding attachment is

illustrated in Fig. 5 wherein the cuff is a handle grip made out of plastic or other material which is sufficiently resilient to permit it to be **clamped upon** the shank of the wrench." see column 2, lines 54-58. Importantly, Mills uses the operative words "clamped upon" to describe the relationship between handle grip and the shank of a wrench. The definition of "clamp" in WEBSTER'S is "a device for clasping or **fastening** things together." This is a complete contradiction to examiner's arguments stating that "Clearly, since the grip (20) of Mills is not **fastened** to the wrench and is easily removed, the grip is engaged 'for movement' along the wrench", see page 8, lines 6-8.

Furthermore, applicant objects to the examiner's suggestion that since the wrench grip is "easily removed" one should therefore assume that the wrench grip is "engaged for movement." Applicant must respectfully point out that "removable" and "movable" are two totally **different** words with different meanings. Something can be "removable" and not "movable", or not "removable" and "movable."

Furthermore, Mills specifically states in column 2, lines 58-64 that "The handle grip (20) is preferably of sufficient length to be **secure** on the handle when it is **clamped** upon the shank of the wrench. In this instance, the handle grip may be as long as the shank of the wrench inasmuch as it is structured so that the arm of the nut-holding attachment slides within the handle grip." Again the **operative** words used by Mills are "**clamped**" and "**secure**" to describe the relationship between his "grip handle" and the "shank of the wrench."

Examiner also states that applicant merely recites a gripping means that

is "positionable at each end of the handle" on page 8 at lines 10-12. Applicant questions if examiner read applicant's claims, wherein claim 1 of his invention clearly states "a gripping means **formed** shorter than and **for movement** along said elongated handle."

Applicant is convinced, and believes that it is obvious by Mills disclosure that Mills does not describe a "movable wrench grip", but in fact discloses a "**nut-holding attachment**" that in one embodiment contains a "handle grip" of which he clearly teaches away from a "movable grip" and towards a "**clamped**" and "**secure**" grip. In fact, Mill's invention would not work properly if the cuff (handle grip) and the nut-holder attachment were both allowed to move, because the nut-holder attachment would fall out of the cuff (grip handle) if the grip handle was shorter than the wrench shank, and positionable to the other end of the wrench.

Applicant believes that the above arguments should overcome all of the rejections relating to Mills.

Regarding Lawrie '849, Examiner contends that "Broadly interpreted Lawrie teaches a gripping means (10), see page 9 lines 3-6. Applicant is amazed that examiner considers an "alignment sleeve" for a "universal joint" to be **remotely related** to a "wrench grip" for a "double-ended wrench." In addition, the function and objective of the "alignment sleeve" is not at all related to the function and objective of applicant's "double ended wrench." Lawrie teaches that his "alignment sleeve" is to "provide self-alignment in existing, non-aligning

universal joint socket wrenches," see Abstract. Whereas the function and objective of applicants "double-ended wrench" is to provide enhanced comfort, torque and continuous use capabilities with the use of a movable "gripping means." Obviously, Lawrie does not imply or suggest that such a **combination** of technology be made.

Regarding the language of applicant's claims 1-10 and the structure and function of Lawrie's "alignment sleeve", applicant concedes that "the ends (34,42) of the inner cavity have a dimension greater than a dimension of a central part of the cavity" as pointed out by examiner on page 9 at lines 9-11. However, in all claims 1-10, the structure and dimension of applicant's "gripping means" and the cavity therein, rely specifically upon the structure and dimensions of the double-ended wrench it is used in combination with. Applicant specifically claims a gripping means with a "central part having a dimension less than an outer dimension of each of said wrench heads whereby, the movement of said gripping means along said elongated handle is confined by said two wrench heads." How is it possible to determine if the inner cavity dimension of Lawrie's "alignment sleeve" is less than an outer dimension of "each of said wrench heads," when Lawrie's "alignment sleeve" does not encompass a double-ended wrench with wrench heads?

Even if one were to associate a "universal joint" with a "double-ended wrench," the "alignment sleeve" of Lawrie is not contained by the outer ends of the universal socket, as the applicant's "gripping means" is contained by the outer ends (the wrench heads) of the "double ended-wrench" as claimed. This is

because the outer ends of the double-ended wrench (the wrench heads) are **significantly larger** than the central part or "elongated handle", which is the complete opposite of a universal joint which has ends that are **actually smaller** than the central part of the tool!

There is therefore, no motivation or suggestion to combine Lawrie with Mills or the present invention, and applicant believes it is inappropriate to combine the teachings of Lawrie with the present invention.

Regarding the language of new claims 32-46, applicant has added additional limitations due in part to examiners advice on page 11, lines 4-20. Because these claims have additional limitations, applicant wishes to use all the above arguments used for claims 1-10, in conjunction with the following.

Applicant has added the following limitations to claims 32-46, which include "said gripping means **being** positionable at each end of said elongated handle **without removal** from said double ended wrench", and "said gripping means cavity further having at least one end **modified** such that said gripping means may substantially **encompass at least one of said wrench neck areas.**" Note that Mill's "nut-holder attachment" **requires removal** from the wrench shank to be positionable at each end of the wrench shank. And, one must know the **specific dimensions** of the double-ended wrench being used and it's neck areas, to form a cavity end that allows "said gripping means to substantially encompass at least one of said neck areas." Clearly this is not

possible with Mills or Lawrie, nor is it claimed, disclosed, suggested or implied.

In view of the above, it is urged that claims 1-10, and new claims 32-46 be allowed, and an early and favorable response is earnestly solicited.

Applicant believes that the above arguments should overcome all of the examiners rejections relating to Mill's and Lawrie. However, if Examiner continues to disagree, applicant respectfully requests that Examiner take the time necessary to address **each and every point** of applicant with an **appropriate and logical** argument derived directly from the disclosure of the cited prior art.

Thank you.

Respectfully Submitted,

Dated February 28, 1998

A handwritten signature in cursive script, reading "Richard J. Macor", written over a horizontal line.

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